

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<p>COREY L. HARRIS, SR.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>NICOLE SOLANE, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No. 1:24-cv-69</p>
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MEMORANDUM ORDER

This *pro se* civil action was commenced by Plaintiff Corey L. Harris, Sr., an inmate at the Erie County Prison (“ECP”) who is seeking redress for the alleged violation of his civil rights. Plaintiff’s complaint was lodged on March 7, 2024, pending his payment of the requisite filing and administrative fees or the filing of an application for leave to proceed *in forma pauperis*. ECF No. 1. The matter has been referred to United States Magistrate Judge Kezia O. L. Taylor for pretrial proceedings, in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and the Local Rules for Magistrate Judges.

On January 8, 2025, Judge Taylor filed a Report and Recommendation (“R&R”) that the case be dismissed with prejudice based on Plaintiff’s failure to prosecute his case. Judge Taylor issued this recommendation after Plaintiff failed to show cause for not paying the initial partial filing fee in this case or requesting an extension of time in which to do so. Judge Taylor noted that her show cause order had expressly advised that Plaintiff’s failure to comply with the order could result in a dismissal of his action. After evaluating the factors outlined in *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863 (3d Cir. 1984), Judge Taylor found that a dismissal with prejudice under Federal Rule of Civil Procedure 41(b) was appropriate in this case.

Plaintiff's objections to the R&R were due on or before January 27, 2025. To date, no objections have been received.

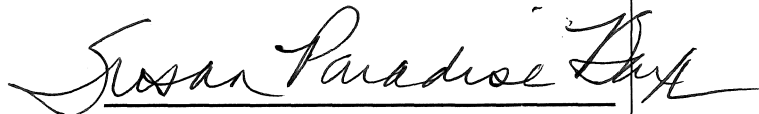
"If a party objects timely to a magistrate judge's report and recommendation, the district court must 'make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.'" *EEOC v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)). Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Local Rule 72(D)(2).

Here, after *de novo* review of the complaint and documents in the case, together with the docket and the report and recommendation, the following order is entered:

NOW, this 7th day of February, 2025, IT IS ORDERED that this action is DISMISSED with prejudice, based on Plaintiff's failure to prosecute his claims.

IT IS FURTHER ORDERED that the Report and Recommendation of U.S. Magistrate Judge Taylor, issued on January 8, 2025, ECF No. [13], is adopted as the opinion of the court.

There being no other matters pending before the Court in the within civil action, the Clerk is directed to mark this case "CLOSED."


SUSAN PARADISE BAXTER
United States District Judge